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C O N F I D E N T I A L KUWAIT 000167

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STATE FOR DRL AND NEA/ARP

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TAGS: [PGOV](#) [PHUM](#) [SOCI](#) [KWMN](#) [KTIP](#) [KMPI](#) [ELAB](#) [KU](#)
SUBJECT: KUWAIT RATIFIES NEW PRIVATE SECTOR LABOR LAW

REF: A. 09KUWAIT1214
[B. 09KUWAIT832](#)

Classified By: PolCouns Pete O'Donohue for reasons 1.4 b and d

[1](#)1. (U) On February 21, Kuwait's new Private Sector Labor Law entered into force after it was published in the official gazette, having been approved by Amiri decree on February 10 and unanimously passed by the parliament on December 23 (REFS A & B). The law, updating its antiquated 1964 predecessor, contains approximately 70 new articles and amendments which are expected to benefit most of Kuwait's two million expatriate laborers -- although the law does not apply to Kuwait's 500,000 domestic workers. Pressure from the USG, international organizations and NGOs, and reform initiatives undertaken by Minister of Social Affairs and Labor (MOSAL) Dr. Mohammed Al-Afasi are credited with providing the impetus for the passage of this bill into law. Benefits to private workers include:

- more favorable working conditions,
- longer leaves,
- higher severance pay,
- more secure salaries (minimum wage for workers according to their professions).

[1](#)2. (U) Of key importance in the amendments is a provision for the establishment of a state-owned recruitment company to oversee and manage the importation of foreign labor, a move intended to eliminate visa trading and illicit recruitment of foreign workers. (Note: The new law punishes more harshly the illicit recruitment of workers with up to 3 years imprisonment and/or raised fines of up to KD 5000. End note). Although the law does not address the plight of Kuwait's half million domestic workers, it may pave the way for consideration of an anti-TIP bill previously approved by the National Assembly's legislative committee.

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Kuwaiti reactions
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[1](#)3. (U) Chairman of Kuwaiti Trade Union Federation Khaled Al-Azmi publicly hailed the law as an "historic accomplishment." Veteran lawyer Badria Al-Awadi was less optimistic, telling Emboff on February 21 that the law has lots of loopholes and that everything hinges on how well (or poorly) the GoK decides to enforce the provisions. Kuwait Women's Social and Cultural Society leader Lubna Al-Kazi took a moderate stance, telling Emboff on February 21 that, "There's room for improvement in the law, but any step forward is a good step."

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